

Twenty-fourth Judicial District of Texas—John M. Green of DeWitt county.

Judge of the District Court of the Tenth Judicial District of Texas—Clay S. Briggs of Galveston county.

Judge of the Criminal District Court of Harris and Galveston counties—C. W. Robinson of Harris county.

District Attorney of the Twenty-fourth Judicial District of Texas—Guy Mitchell of Jackson county.

Very respectfully,

T. M. CAMPBELL,
Governor of Texas.

PRIVILEGES OF FLOOR GRANTED.

Senator Hudspeth here moved that ex-Lieutenant Governor Browning be accorded the privileges of the floor of the Senate while in session.

The motion was unanimously adopted.

TIME FOR EXECUTIVE SESSION CHANGED.

Senator Murray here moved that the Senate rescind its action on yesterday, which designated the hour of 11 o'clock today for the purpose of acting on the appointment by the Governor, and that tomorrow at 11 o'clock be designated as the time for said executive session.

Senator Brachfield moved, as a substitute, that the time for the executive session be changed from 11 o'clock today until 12 o'clock today.

The substitute motion was adopted.

IN COMMITTEE OF THE WHOLE SENATE.

Here the Chair announced that the Senate would proceed to resolve itself into a Committee of the Whole, in accordance with the motion adopted on yesterday.

Senator Alexander was called to the chair.

IN THE SENATE.

At 11:45 o'clock, and after the conclusion of the meeting of the Senate as a Committee of the Whole, the Senate resolved itself into a session of the Senate with Lieutenant Governor Davidson presiding.

PRIVILEGES OF THE FLOOR.

Senator Terrell of Bowie moved that Senators-elect Terrell of Wise county,

representing District No. 31; Kauffman of Galveston county, representing District No. 17; and Ratliff of Hopkins county, representing District No. 2, be allowed the privileges of the floor until such time as they shall be sworn in as duly elected members.

The motion was unanimously adopted.

EXECUTIVE SESSION.

Here the Chair (Lieutenant Governor Davidson) announced that the hour 12 o'clock noon had arrived, which time had been designated for the Senate to sit in executive session. The Senate Chamber was cleared of all those not entitled to remain.

IN THE SENATE.

ADJOURNMENT.

On motion of Senator Kellie, the Senate, at 7 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

FIFTH DAY.

Senate Chamber,
Austin, Texas

Thursday, July 28, 1910.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson presiding.

Roll call, a quorum being present, the following Senators answering to their names:

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Greer.	Stokes.
Harper.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Hume.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Weinert, the same was dispensed with.

Morning call concluded.

SIMPLE RESOLUTION REFERRED TO COMMITTEE.

Here Senator Cofer called up the simple resolution introduced by him on yesterday, relative to seating Senator-elect Terrell of Wise county, and moved that the resolution be referred to the Committee on Privileges and Elections.

The motion was adopted.

ADDITION TO COMMITTEE.

The Chair here announced the appointment of Senator Cofer as a member of the Committee on Privileges and Elections, to fill the vacancy occasioned by the resignation of the Senator from Hopkins county.

SIMPLE RESOLUTION.

By Senator Alexander:

Resolved, That the Secretary of the Senate be authorized and directed to furnish to the Commission to Codify the Laws of Texas three paper covered copies of the Legislative Manual, upon request of Judge R. B. Minor, a member of the commission.

The resolution was read and adopted.

There being no further business before the Senate at this hour, the Senate was at ease until 11 o'clock.

SPECIAL COMMITTEE REPORT—ADOPTION OF.

Committee Room,
Austin, Texas, July 28, 1910.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred the simple resolution relating to the seating of Hon. C. V. Terrell, Senator-elect from the Thirty-first Senatorial District, having had the said resolution under consideration, beg leave to report as follows:

Your committee has amended the said resolution so as to include a recommendation for the seating of Hon. J. E. Kauffman as Senator from the Seventeenth Senatorial District; and your committee further reports that from the evidence at hand we have made careful investigation into the returns of the special election held on the 23rd day of July, 1910,

in the said Twenty-first and Seventeenth Senatorial Districts, respectively, and we find that in the Thirty-first Senatorial District Hon. C. V. Terrell was duly elected to fill the unexpired term in the Senate in said district caused by the resignation of Hon. J. P. Hayter; and Hon. J. E. Kauffman was duly elected at said special election to fill the vacancy caused by the resignation of Hon. T. W. Masterson.

And your committee now recommends that said Senators-elect, Hon. C. V. Terrell of Wise county, and Hon. J. E. Kauffman of Galveston county, be both received, and that they be immediately sworn in as Senators from their respective districts.

PERKINS, Chairman.

Senator Cofer moved that the Senate rule requiring committee reports to lie over for one day be suspended, and that the above committee report be placed before the Senate.

The motion was adopted by the following vote:

Yeas—27.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Greer.	Stokes.
Harper.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Veale.
Hume.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.
Murray.	

Absent.

Terrell of McLennan.

The committee report was adopted.

The committee report and resolution, having been previously read, was then adopted.

OATH OF OFFICE ADMINISTERED.

The Chair (Lieutenant Governor Davidson) appointed Senators Terrell of Bowie county and Terrell of McLennan county to escort Senator-elect Terrell of Wise county to the bar of the Senate, and appointed Senators Willacy and Brachfield to escort Senator-elect Kauffman to the bar of the Senate, whereupon the constitutional oath of office was administered to them.

Senator Kauffman of Galveston county represents District No. 17, composed of the counties of Galveston, Brazoria, Matagorda and Wharton.

Senator Terrell of Wise county represents District No. 31, composed of the counties of Denton, Wise and Montague.

IN EXECUTIVE SESSION.

At 11 o'clock the Senate resolved itself into executive session.

IN THE SENATE.

EXECUTIVE SESSION—TIME SET FOR.

Senator Sturgeon moved that today at 4 o'clock be designated for the Senate to sit in executive session for the purpose of considering appointments sent to the Senate by the Governor on yesterday.

The motion was unanimously adopted.

RECESS.

On motion of Senator Terrell of Bowie, the Senate recessed until 3:30 o'clock this day.

AFTER RECESS.

At 3:30 o'clock the Senate was called to order by Lieutenant Governor Davidson, and there being nothing before the Senate, on motion of Senator Holsey, the Senate was at ease for indefinite time.

At 4 o'clock the Senate was again called to order.

EXECUTIVE SESSION.

In accordance with the motion previously adopted, the Senate, at 4 o'clock, resolved itself into executive session, for the purpose of considering appointments by the Governor.

CONFIRMATIONS MADE.

In executive session today, the following confirmations were made:

Judge of the Court of Criminal Appeals—Felix J. McCord of Smith county.

Attorney General—Jewel P. Lightfoot of Camp county.

Financial Agent of the Texas State Penitentiaries—A. M. Barton of Anderson county.

Assistant Attorney General—John A. Mobley of Henderson county.

Commissioner of Pensions—E. A. Bolmes of Harris county.

Members of the State Fire Rating Board—Harry L. Wright of Anderson county and Robert M. Hamby of Travis county.

Members of the Commission to Codify the Laws—H. G. Robertson of Jefferson county, Jas. G. Dudley of Lamar county and R. B. Minor of Bexar county.

Commissioner of Labor and Statistics—Jos. S. Myers of Tarrant county.

State Mining Inspector—S. J. Taylor of Milam county.

Members of the State Mining Board—W. C. Silliman of Bexar county, T. H. Lipps of Wise county, W. M. Wells of Milam county, A. Johnson of Palo Pinto county, G. I. King of Houston county, John Lloyd of Erath county and Frederick C. Von Rosenberg of Travis county.

Members of Board of Nurse Examiners—Mrs. L. M. Beaty of Tarrant county, Miss Laura P. Young of Travis county, Miss C. L. Shackford of Galveston county, Miss Maud Mueller of Bexar county and Miss Mattie Rutledge of Dallas county.

Members of the Texas State Board of Pharmacy—W. H. Robert, Jr., of Grayson county, Bruce Vrendenburg of Jefferson county, Tom J. Snell of Delta county, W. F. Robertson of Gonzales county and John A. Weeks of Runnels county.

Members of the Board of Dental Examiners—R. D. Griffith of Lamar county, Sam G. Duff of Hunt county and C. M. McCauley of Taylor county.

Members of the Board of Trustees of the State Institution for the Training of Juveniles—A. C. Prendergast of McLennan county, Fred P. Hamill of Bell county, Thos. Bell of McCulloch county, Mrs. J. A. Jackson of Travis county, Mrs. G. H. Boynton of Hamilton county.

Members of the Texas State Board of Health—H. W. Cummings of Robertson county, J. E. Gilcreest of Cooke county, J. W. Burns of De Witt county, J. W. O'Farrell of Fort Bend county, Thos. F. Burnett of Baylor county and Boyd Cornick of Tom Green county.

Members of the Board of Managers of the Deaf and Dumb Asylum (colored)—

J. A. Fernandez of Travis county and Chas. L. Stephenson of Travis county.

Superintendent of the Confederate Home—R. M. Wynne of Tarrant county.

Member of the Board of Trustees of Confederate Home—W. J. Stelfox of Travis county.

Member of Board of Trustees of State Asylum for the Blind—Jud S. James of Travis county.

Member of Board of Directors of the A. & M. College—James Craven of Harris county.

Member of Board of Regents of the State University—W. A. Johnson of Hall county.

Judge of the District Court of the Twenty-fourth Judicial District of Texas—John M. Green of De Witt county.

Judge of the District Court of the Tenth Judicial District of Texas—Clay S. Briggs of Galveston county.

Judge of the Criminal District Court of Harris and Galveston Counties—C. W. Robinson of Harris county.

District Attorney of the Twenty-fourth Judicial District of Texas—Guy Mitchell of Jackson county.

IN THE SENATE.

(Senator Brachfield in the chair.)

MESSAGES FROM GOVERNOR.

Executive Office,
State of Texas.

Austin, Texas, July 27, 1910.

To the Legislature:

By virtue of authority vested in me by Section 40, Article 3, of the Constitution of the State of Texas, I hereby designate and present to you for your consideration the following subjects, and suggest legislation thereon:

1. Legislation providing for the election, qualification, bond and duties of the Comptroller of Public Accounts of the State of Texas, and of his employees, and providing for a complete, effective and more economical system of accounting, bookkeeping and auditing for that department of the State government.

2. Legislation prescribing the duties of county tax assessors, tax collectors, and the county clerks, Comptroller and State Treasurer, with reference to the assessment and collection of taxes, and providing a more systematic, effective

and economical system of bookkeeping and accounting, and the enactment of such other rules and methods with respect thereto as may be proper.

3. The enactment of adequate laws defining "bills of lading" and defining the word "carrier." Providing that it shall be the duty of common carriers and their officers and agents to issue negotiable bills of lading and straight or non-negotiable bills of lading at the request of the shipper, between certain places to be prescribed in the law, and defining negotiable or order bills of lading and non-negotiable or straight bills of lading, and prescribing the necessary requirements for all bills of lading; to make all negotiable bills of lading negotiable by endorsement and delivery in the same manner as bills of exchange and promissory notes, and prohibiting the placing upon negotiable bills of lading any terms which would in any manner limit their negotiability; and providing for the division of bills of lading into such different series as may be appropriate, and defining each series, prescribing how bills of lading shall be issued, and prohibiting the issuing of negotiable bills of lading in part or parts, except as prescribed by law; prescribing the duties of general freight agents or persons authorized to act for them, and the duties of local station agents of common carriers, and for such additional legislation on this subject as business conditions and the general welfare may demand.

Very respectfully,
T. M. CAMPBELL,
Governor of Texas.

Executive Office,
State of Texas.

Austin, Texas, July 28, 1910.

To the Legislature:

By virtue of authority vested in me by Section 40, Article 3, of the Constitution of the State of Texas, I hereby designate and present to you for your consideration the following subjects, and suggest legislation thereon:

1. Appropriate legislation providing for the retirement of \$1,055,700 bonds of the State of Texas, dated July 1, 1879, and maturing July 1, 1909, and \$298,000 bonds of the State of Texas, maturing on the first day of September, 1910, and for issuing other interest-bearing bonds in lieu thereof, and providing for the execution of such other bonds and the manner of exchange of

the new bonds for those maturing as above mentioned. These bonds maturing as aforesaid are owned and held as follows: Seven hundred and ninety-nine thousand three hundred dollars held by the State Permanent School Fund; \$217,200 held by the Permanent State University Fund; \$24,300 held by the Permanent Orphans' Home Fund; \$29,500 held by the Permanent Blind Asylum Fund; \$46,600 held by the Permanent Deaf and Dumb Asylum Fund; \$62,800 held by the Permanent Lunatic Asylum Fund, and \$174,000 held by the Permanent Agricultural and Mechanical College Fund.

2. Thirteen thousand two hundred dollars of the series of bonds maturing July 1, 1909, are now owned and held by individuals or corporations, and an appropriation for the payment of these bonds so held by individuals, together with the interest thereon from July 1, 1909, is respectfully recommended, and it is also recommended that an appropriation be made in a sum sufficient to satisfy the accrued interest on all the bonds maturing on July 1, 1909.

Very respectfully,
T. M. CAMPBELL,
Governor of Texas.

Executive Office,
State of Texas.

Austin, Texas, July 28, 1910.

To the Senate:

The advice and consent of the Senate is respectfully requested to the following appointments:

Chief Justice of the Court of Civil Appeals of the Third Supreme Judicial District of Texas—W. M. Key of Travis county.

Associate Justice of the Court of Civil Appeals of the Third Supreme Judicial District of Texas—C. H. Jenkins of Brown county.

Tax Commissioner of the State of Texas—L. T. Dashiell of Leon county.

Very respectfully,
T. M. CAMPBELL,
Governor of Texas.

ADJOURNMENT.

Senator Watson moved that the Senate adjourn until tomorrow morning at 10 o'clock.

The motion was adopted by the following vote (the yeas and nays being called for):

Yeas—18.

Adams.	Murray.
Alexander.	Paulus.
Bryan.	Peeler.
Greer.	Perkins.
Hudspeth.	Real.
Hume.	Senter.
Kauffman.	Terrell of Bowie.
Kellie.	Watson.
Meachum.	Willacy.

Nays—9.

Brachfield.	Terrell of McLennan.
Cofer.	Terrell of Wise.
Harper.	Veale.
Stokes.	Ward.
Sturgeon.	

Absent.

Holsey.	Weinert.
Mayfield.	

APPENDIX.

COMMITTEE REPORTS.

(Floor Report.)

Austin, Texas, July 27, 1910.

Hon. A. B. Davidson, President of the Senate.

Sir: We, a majority of Judiciary Committee No. 2, to whom was referred Senate bill No. 4, A bill to be entitled "An Act to prohibit any person or persons, association or corporation, to give, have or exhibit or be in any way concerned in giving, having or exhibiting or to permit or allow in or on any premises, property, building or structure of any character owned, controlled or managed by any such person or persons, association or corporation, any show at which is exhibited or displayed, or in any street or road, any moving or motion picture, films, or either representation of like character, of any prize fight or pugilistic contest, or encounter between man and man or between man and beast, or to exhibit by such means and manner in such places an obscene view or picture of a person or beast within this State; and to provide penalties therefor, and to define the term 'obscene,' and to repeal all laws in conflict with this act; and providing that this act shall in no way repeal or be in conflict with Chapter 10, Articles 1005 and 1005a of the Penal Code of Texas, and declaring an emergency,"

Have had the same under consideration, and we report the same back to the Senate with the recommendation that it do pass.

Harper, Chairman; Hudspeth, Watson, Stokes, Cofer, Sturgeon, Murray, Greer, Real, Alexander.

(Floor Report.)

Austin, Texas, July 28, 1910.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Judiciary Committee No. 2, to whom was referred

Senate bill No. 6, A bill to be entitled "An Act to prohibit the exhibition of prize fights or glove contests, and any obscene, indecent or immoral show or exhibition by means of moving picture films, bioscopes, magic lanterns or other devices, in moving picture shows, theaters, or any other place whatsoever, by any association, corporation, firm or person; providing penalties therefor, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

Harper, Chairman; Hudspeth, Alexander, Real, Watson, Murray, Cofer, Senter.

SIXTH DAY.

Senate Chamber,
Austin, Texas,

Friday, July 29, 1910.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson presiding.

Roll call, a quorum being present, the following Senators answering to their names:

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Terrell of Wise.
Hume.	Veale.
Kauffman.	Ward.
Kellie.	Watson.
Meachum.	Weinert.
Murray.	Willacy.
Paulus.	

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Watson, the same was dispensed with.

SIMPLE RESOLUTION.

By Senator Harper:

Resolved, That the Secretary of the Senate be allowed postage for the Third Called Session in amount not to exceed \$3.00, to be paid out of the contingent expense fund.

The resolution was read and adopted.

EXECUTIVE SESSION—TIME SET FOR.

Senator Cofer moved that the Senate go into Executive Session at 10:30 o'clock today for the purpose of considering appointments sent to the Senate on yesterday.

The motion was unanimously adopted by the following vote:

Yeas—28.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Greer.	Stokes.
Harper.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Hume.	Terrell of Wise.
Kellie.	Veale.
Mayfield.	Ward.
Meachum.	Watson.
Murray.	Weinert.

Absent.

Kauffman. Willacy.

BILLS AND RESOLUTIONS.

By Senators Ward, Sturgeon and Willacy:

Senate bill No. 7, A bill to be entitled "An Act to provide for the retirement of certain bonds of the State of Texas, maturing on the first day of July, 1909, and the first day of September, 1910, for issuing other bonds at a lower rate of interest in lieu thereof; providing for the execution of such other bonds, and the manner of exchange of the new bonds, and declaring an emergency."